



ZONING IN PLAIN ENGLISH (PART 1) **WHO'S WHO IN ZONING**

It is important to understand the players in the zoning process and their respective roles – and the types of decisions they are responsible for making.

There are four (4) main types of decision-making functions in the zoning process:

1. Legislative,
2. Advisory,
3. Administrative, and
4. Quasi-Judicial

Legislative

The legislative function involves the official adoption or amendment of the zoning regulations themselves. In the zoning adoption or amendment process the Boone County Board of Supervisors will likely hear from a variety of “special interests” ranging from local homeowners and neighbors to builders and developers and local businesses. The Boone County Board of Supervisors (BOS) shall approve either the text or map amendments.

Advisory

Before adopting or amending the zoning map or text, the local zoning process will call for the Boone County Zoning Commission (ZC) to provide *advice* of such adoptions or revision. The Boone County Zoning Commission is responsible for examining whether the zoning proposal is consistent with the goals and policies of Boone County's adopted Comprehensive Plan.

Administrative

It is sometimes surprising for new Zoning Commission members to learn that the majority of decisions made in the zoning process are actually made at the administrative level by staff planners, zoning officers, and other county employees. Non-discretionary standards such as lot size, lot width, setbacks, building height, permitted uses, sign height and size, parking lots, and outdoor lighting, can be administered by staff without the need for review by Zoning Commissioners or the Board of Supervisors. These decisions often take the form of zoning permits .

Quasi-Judicial

No zoning code is perfect. Yes, this includes the Boone County Zoning Ordinance. For that reason, several “safety valves” are built into the zoning process. First there are occasions when an interested party may simply disagree with the way in which the Staff Planner and/or Zoning Administrator has interpreted the zoning regulations. Second, there are instances where the strict application of zoning regulations creates an unfair situation to a property owner. As part of the zoning process, the Boone County Board of Adjustment (BOA) has been designated to hear appeals and consider variance requests. The BOA acts in a “quasi-judicial” capacity because in Iowa and Boone County its decision is final (subject only to appeal in the local court system). This means that the BOA decisions must be based on specific factual evidence, and include written findings of fact to support the decision. The BOA can be described as a cross between a town meeting and a court of law.

(over)

Quiz

1. The four (4) main types of decision-making functions in the zoning process are referred to as:
 - a. _____,
 - b. _____,
 - c. _____, and
 - d. _____.

2. Match the decision making function in the zoning process with the staff position or board.

A. Zoning Administrator _____	1. Legislative
B. Zoning Commission _____	2. Quasi-Judicial
C. Board of Supervisors _____	3. Administrative
D. Board of Adjustment _____	4. Advisory
E. Planning Director/P&D's Administrative Assistant/Secretary _____	

3. (True or False). The BOA decisions must be based on specific factual evidence, and include written findings of fact to support the decision.

4. Who is responsible for examining whether the zoning proposal (amendment) is consistent with the goals and policies of Boone County's adopted Comprehensive Plan. _____.

5. Who is responsible for approving either zoning text or map amendments. _____.



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FREEDOM OF SPEECH

How did you do? Answers

Answers: Q 1a thru 1d (Legislative, Administrative, Advisory, Quasi-Judicial); Q 2A (4); Q 2B (4); Q 2C (1); Q 2D (2); Q 2E (3); Q 3 (True); Q 4 (ZC); Q5 (BOS).